

John L. Carley  
Assistant General Counsel  
(212) 460-2097  
FAX: (212) 677-5850  
Email: carleyj@coned.com

February 17, 2005

**VIA EXPRESS MAIL**

Honorable Kristi Izzo  
Secretary  
State of New Jersey  
Board of Public Utilities  
Two Gateway Center  
Newark, New Jersey 07102

Re: In the Matter of a Voluntary Green Power Choice Program  
Docket No. E005010001

Dear Secretary Izzo:

Rockland Electric Company ("RECO" or the "Company") sets forth below its comments regarding the draft "Voluntary Green Power Choice Program- Framework and Design, Business Rules, Technical Standards" dated January 15, 2005 in Docket No. E005010001 ("Proposal"). As discussed below, RECO remains concerned regarding (i) the need to provide customer account numbers to Green Power Marketers ("GPMs"); and (ii) the time frame for Program rollout.

**Customer Account Numbers**

RECO is particularly concerned regarding the possible implications of the statement in the Proposal that "OCE is committed to developing and implementing a solution that improves the GPM's ability to get accurate account numbers without compromising customer privacy." (at 15) As the Proposal later notes, "New Jersey's law currently prohibits EDC's release of account numbers without the customer's consent." (at 16). Customer account numbers are, and should remain, confidential and should not be provided to entities that may have an inherent interest in misusing such information. As the New Jersey Board of Public Utilities ("BPU") is well aware, utilities in New Jersey currently do not provide customer account numbers to third party suppliers ("TPS"). The primary reason behind this policy is that safeguarding the confidentiality of a customer's account number is an extremely effective means of preventing the

“slamming” of customers. No valid reason has been put forward as to why GPMs should be treated differently from other TPSs.

In addition, the experience of RECO’s parent company, Orange and Rockland Utilities, Inc. (“O&R”), in New York State demonstrates that there is no overriding necessity for utilities to provide customer account numbers to GPMs. O&R has one of the most successful retail access programs in the United States. Specifically, 37% of O&R’s gas customers and 31% of O&R’s electric customers receive their gas service and electric service, respectively, from TPSs without O&R providing customer account numbers to the TPSs.

As demonstrated above, the release of customer account numbers, without customer consent, is not only illegal but also unnecessary to ensure the success of the Voluntary Green Power Choice Program. The Board should maintain its current practice of not requiring utilities to disclose customer account numbers without customer consent.

#### **Time Frame for Program Rollout**

RECO’s second concern regards the timeframe for program implementation. The Proposal states, “The Program will be presented for adoption and approval by the BPU in February 2005 and operational approximately 8 months thereafter.” (at 19) Considering the major modifications required of the electric distribution companies billing systems and accounting systems as well as the detailed development of the protocol for the Electronic Data Interchange, this schedule is too aggressive. In addition to modifying the Company’s billing and accounting systems, major testing will be required to ensure that once customers request to be enrolled in the program, they are enrolled in a timely manner with accurate billing for the green energy that they purchase. A more appropriate schedule would be for implementation to commence 12 months after the Program has been adopted and approved by the BPU.

Please contact me if you have any questions regarding these comments or if you require any additional information.

Very truly yours,

John L. Carley  
Assistant General Counsel